

10/543054

PCT/EP2003/014724

PATENT COOPERATION TREATY



Translation

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P42324_S PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/014724	International filing date (day/month/year) 22 December 2003 (22.12.2003)	Priority date (day/month/year) 21 January 2003 (21.01.2003)
International Patent Classification (IPC) or national classification and IPC B60J 5/06		
Applicant KNORR-BREMSE GES.M.B.H.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 02 August 2004 (02.08.2004)	Date of completion of this report 02 May 2005 (02.05.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/014724

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____, 1, 3-9 _____, as originally filed
pages _____, filed with the demand
pages _____, 2, 2a _____, filed with the letter of _____ 09 February 2005 (09.02.2005)
- ☒ the claims:
pages _____, 1-5 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____, 1/9-9/9 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/14724

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims		YES
	Claims	1-5	NO
Inventive step (IS)	Claims		YES
	Claims	1-5	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

- D1: DE 199 46 501 A (WEBASTO TUERSYSTEME GMBH), 19 April 2001 (2001-04-19)
- D2: EP-A-0 517 334 (TBL BEHEER BV), 9 December 1992 (1992-12-09)
- D3: DE 43 34 403 A (IFE GMBH), 13 April 1995 (1995-04-13)
- D4: DE 92 16 812 U (GOLDBACH HORST DIPL ING), 7 April 1994 (1994-04-07)

2.1 Independent claim 1

Document D1 shows (see figures 2 and 3):

- a pivoting sliding door for vehicles, in particular railway vehicles or lift cages, having at least one door wing (door leaf 2) which is arranged in the vehicle wall in the closed state and on the outside of the vehicle wall in the open state, leaving a door opening free, drive devices being provided, as well as transverse guide devices and longitudinal guide devices which enable the at least one door wing (door leaf 2) to move transversely to the

vehicle wall and along the vehicle wall, the longitudinal guide devices being moved in the transverse direction by means of the transverse guide devices. In the closed position, the door is locked by a pivoting part (arm 74) which engages a guide (pin 73), the pivoting part (arm 74) comprising a guiding part (slot 72) which interacts with a guide (pin 73), and the guide (pin 73) has a curved section about the momentary position of the rotational axis (bearing bolt 70) of the pivoting part (arm 74) in the zone where the pivoting part (arm 74) interacts with the guide (pin 73) in the closed position of the door.

Consequently, the present application does not meet the requirements of PCT Article 33(2) because the claimed subject matter is not novel over the prior art as defined in the Regulations (PCT Rule 64.1-64.3).

2.2 Dependent claims 2-5

Dependent claims 2-5, which relate to further configurations of the invention as per claim 1, also fail to meet the PCT requirements because the features of the dependent claims appear to be known at least *per se* from the citations. They therefore do not include any essential features which could somehow establish novelty and/or inventive step.